



STATE OF KANSAS  
DEPARTMENT OF WILDLIFE & PARKS

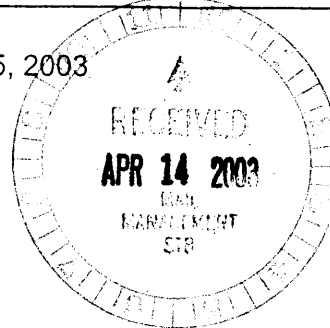
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ET-34  
KB

Mr. Barry Butterfield  
Senior Environmental Engineer  
HDR Engineering Inc.  
8404 Indian Hills Drive  
Omaha Nebraska 68114-4049

February 25, 2003



Ref: D2.0401  
Finney  
STB 34210  
Track: 20030064

Dear Mr. Butterfield:

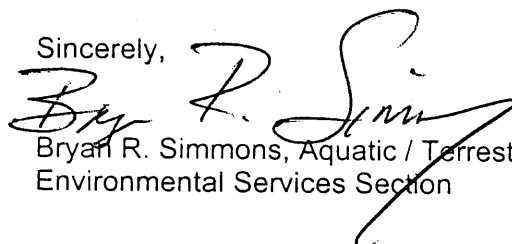
We have reviewed preliminary plans for railroad rehabilitation and construction from Holcomb Station near Garden City, north to Scott City involving ephemeral drainage crossings in Finney County. The project was reviewed for potential impacts on crucial wildlife habitats, current state-listed threatened and endangered species, and public recreation areas for which this agency has some administrative authority.

The project will occur in an area designated as critical habitat for the state threatened Eastern Spotted Skunk - *Spilogale putorius*. However, no trees appear to be in plans for removal between the Arkansas River and BNSF MP 406.9. Thus, we feel that an Action Permit from this agency is not warranted. Small potential wetlands may also be affected under current design. As such, the USACE will need to be notified and these wetlands will need to be delineated. It is also noted that only ephemeral drainages will be impacted. The majority of construction is planned within an existing railroad right-of-way. As such, overall wildlife habitat disturbance associated with this project will be minimal. Thus, unless numerous trees are to be removed, we foresee no other problems and only recommend implementing standard erosion control BMP's, temporary weed-free seeding/mulching to protect water quality during construction, and the use of native grasses and forbs to permanently revegetate all areas disturbed by construction.

Results of our review indicate there will be no significant impacts to crucial wildlife habitats; therefore, no special mitigation measures are recommended. The project will not impact any public recreational areas, nor could we document any potential impacts to currently listed threatened or endangered species or species in need of conservation. No Department of Wildlife and Parks permits or special authorizations will be needed if construction is started within one year, and no design changes are made in the project plans. Since the Department's recreational land obligations and the State's species listings periodically change, if construction has not started within one year of this date, or if design changes are made in the project plans, the project sponsor must contact this office to verify continued applicability of this assessment report. For our purposes, we consider construction started when advertisements for bids are distributed.

Thank you for the opportunity to provide these comments and recommendations

Sincerely,

  
Bryan R. Simmons, Aquatic / Terrestrial Ecologist  
Environmental Services Section

xc: Region 3, Baugh  
USACE, Penaluna